

REMARKS

Reconsideration of this application as amended is requested. By this amendment Applicants have amended claims 4-6 for clarity and added claim 7. Claims 1-7 are in the case.

The Examiner rejected claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Noda et al; rejected claims 1-4 and 6 [?] under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al in view of Noda et al and Saunders et al; objected to claim 6 under 37 C.F.R. 1.75(c) as being of improper dependent form; and indicated that claim 5 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, first paragraph [what rejection?]. The cover sheet indicates that claims 1-4 are rejected and claims 5 and 6 are objected to, which presents a contradiction to the body of the Office Action with respect to claim 6.

Applicants' claimed invention is a modular rack-mounting system that has a frame **12** that defines a compartment and a sleeve **14, 16** which is configured to fit within the compartment, the sleeve including means **26, 28, 30** for detachably securing it within the frame. A modular instrument may be mounted subsequently within the sleeve of the modular rack-mounting system. The compartment may be a full rack-width compartment or may be divided into a couple of half-rack compartments by a central rib **22**. The central rib also may include means for detachably securing the sleeves within the frame. The securing means may include holes **26** in the sides of the sleeves and corresponding spring mounted buttons **30** secured to the frame and/or central rib such that the buttons align with the holes. The springs force the buttons into the holes to hold the sleeves in the frame, but the

buttons are accessible from the interior of the sleeve to be depressed so the sleeve may be removed from the frame easily. On the central rib two spring mounted buttons are mounted on opposite sides in opposing manner, and the central rib has a hole 45 into which the button ends of the springs may deform when the buttons are depressed.

The Examiner states that Noda et al show a frame 24, 26, 30 having a compartment 32, a spring 88 mounted on the frame with a button 94 through a hole in the frame 96 securing a sleeve 22 to the frame. In contradistinction to Applicants' claimed invention Noda et al disclose a housing 24 having a compartment 32 formed by sidewalls 30 and aperture 28. On the outside of the sidewalls are mounted latching mechanisms that have a spring mounted locking lever 86 with a pawl 94 that extends through a first opening 96 so that, when a device 22 is slid into the compartment, the pawl engages a corresponding first opening 46 in its side 38. In order to release the device from the compartment a tool 106 is used that extends through an opening 40 in the device to engage the locking lever through a second opening 48 in the side and a corresponding elongated opening 98 in the sidewall. The tool has spring-mounted projections 104 that engage the locking lever to cause the pawl to retract to release the device so it may be removed.

Applicants recite a modular rack-mounting system having a frame and a sleeve which is configured to fit within a compartment formed by the frame. Applicants respectfully submit that the device of Noda et al is not a sleeve corresponding to that recited by Applicants but rather is the instrument that is mounted within the recited sleeve. Applicants claimed invention defines the rack mount into which an instrument is mounted, i.e., the "sleeve" recited by Applicants

corresponds to the "disk drive compartment" described by Noda et al. Applicants do not recite how an instrument is mounted within the rack mounts defined by the sleeves. Further Applicants recite a button mounted on a spring extending through a hole in the frame to engage a hole in the sleeve, whereas Noda et al teach a pawl that has a slope on the ingress side and is perpendicular on the egress side. The device of Noda et al is not removed by depressing the pawl directly, whereas the sleeve of the present invention may be removed by depressing the buttons from the interior of the sleeve. Thus claims 1 and 2 are deemed allowable as reciting patentably distinct features over what is taught and suggested by Noda et al.

The Examiner also states that the cubicles 1a-1d of Eriksson et al are equivalent to the frames recited by Applicants in claim 1. However, contrary to the Examiner's assertion, Eriksson et al in Fig. 2 do not show a sleeve with a door which slides into the cubicle, but shows an instrument or device (module) that slides into the rack mount system. The Examiner goes on to state that immediately above the compartment into which the shown device is being installed is another compartment with a central rib each mounting a sleeve. However Eriksson et al do not show any central rib, but only an exterior with two adjacent openings in the overall housing 2. The Examiner admits that Eriksson et al do not show a spring mounted button in a hole or a frame having two parts that are press fitted and maybe welded, but states that since this invention is claimed as an apparatus the steps or way in which the frame is formed carries no weight. Applicants challenge the Examiner to cite authority for such a gratuitous statement. Plus Applicants do not recite any steps in the claims, but rather recite that the frame has two portions, left and right, that have fingers which interlock to assure rigidity of the frame.

The Examiner cites Noda et al for showing a latching system for retaining a modular sleeve for an electrical device, but the "sleeve" of Noda et al is the electrical device, as discussed above, and not part of the modular rack-mounting system. The Examiner cites Saunders et al for showing it is well known to assemble an electrical device support frame from parts that mesh when assembled, but Saunders et al do not shown interlocking fingers as recited by Applicants, i.e., Saunders et al do not produce a smooth surface as is produced by the interlocking fingers. The combination of Eriksson et al with Noda et al still does not include a sleeve as recited by Applicants which is part of the modular rack-mounting system, but merely provides another way of latching an electrical device in a compartment. And combining with Saunders et al does not produce a frame with interlocking fingers as recited by Applicants. Therefore the combination suggested by the Examiner does not produce the invention as recited by Applicants in claims 1-4 and 6. Therefore these claims are deemed to be allowable over Eriksson et al in view of Noda et al and Saunders et al.

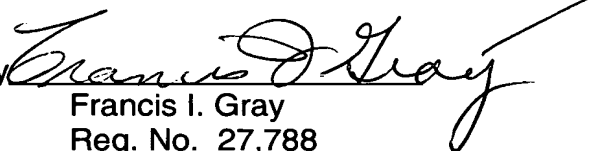
With respect to claim 6 it is not redundant with claim 5 because claim 5 describes the securing means as including a spring mounted on the central rib, while claim 6 adds a spring mounted on the frame itself. Applicants have amended claim 4 to recite that the central rib is mounted within the frame, so that the central rib referenced in claims 5 and 7 is differentiated from the frame referenced in claim 6. Claim 5 also has been amended because of an erroneous statement – the button on the rib mounted spring does not extend into the rib hole to engage the sleeve. As recited in claim 7 the hole in the rib is to allow the button ends of the springs on opposing sides to deform when the buttons are depressed. Claim 7 recites the more

specific structure where there are springs with buttons mounted on both sides of the rib.

In view of the foregoing amendment and remarks allowance of claims 1-7 is urged, and such action and the issuance of this case are requested.

Respectfully submitted,

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